

ASSEMBLY BILL

No. 2055

Introduced by Assembly Member Wolk

February 17, 2004

An act to amend Section 65563 of the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

AB 2055, as introduced, Wolk. Open-space plan.

Existing law requires every city and county, on or before December 31, 1973, to prepare, adopt, and submit to the Secretary of the Resources Agency a local open-space plan for the comprehensive and long-range preservation and conservation of open-space land within its jurisdiction.

This bill would require the open-space plan to include consideration of the goals and policies included in the State's Environmental Goals and Policy Report. The bill would also delete certain obsolete references. By increasing the duties of local public officials, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 65563 of the Government Code is
2 amended to read:

3 65563. ~~On or before December 31, 1973, every~~ A city,
4 ~~county, or city~~ and county shall prepare, adopt and submit to the
5 Secretary of the Resources Agency a local open-space plan for the
6 comprehensive and long-range preservation and conservation of
7 open-space land within its jurisdiction. ~~Every city and county shall~~
8 ~~by August 31, 1972, prepare, adopt and submit to the Secretary of~~
9 ~~the Resources Agency, an interim open-space plan, which shall be~~
10 ~~in effect until December 31, 1973, containing, but not that~~
11 ~~includes, but is not limited to, the following:~~

12 (a) The officially adopted goals and policies ~~which that~~ will
13 guide the preparation and implementation of the open-space ~~plan;~~
14 ~~and plan.~~

15 (b) A program for orderly completion and adoption of the
16 open-space plan ~~by December 31, 1973,~~ including a description of
17 the methods by which open-space resources will be inventoried
18 and conservation measures determined.

19 (c) *Consideration of the goals and policies included in the*
20 *State’s Environmental Goals and Policy Report that is required*
21 *pursuant to Section 65041.*

22 SEC. 2. Notwithstanding Section 17610 of the Government
23 Code, if the Commission on State Mandates determines that this
24 act contains costs mandated by the state, reimbursement to local
25 agencies and school districts for those costs shall be made pursuant
26 to Part 7 (commencing with Section 17500) of Division 4 of Title
27 2 of the Government Code. If the statewide cost of the claim for
28 reimbursement does not exceed one million dollars (\$1,000,000),
29 reimbursement shall be made from the State Mandates Claims
30 Fund.

